

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

FUNCTION MEDIA, L.L.C.

§

Plaintiff,

§

Civil Action No. 2007-CV-279

vs.

§

GOOGLE INC. AND YAHOO!, INC.

§

Defendants.

§

JURY TRIAL DEMANDED

**[PROPOSED] ORDER DENYING GOOGLE'S  
MOTION FOR JUDGMENT AS A MATTER OF LAW REGARDING DAMAGES**

Before the Court is Google's Motion for Judgment as a Matter of Law Regarding Damages. After considering said Motion, and the opposition thereto, the Court finds that the Motion should be and hereby is **DENIED** as moot.